

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: Chairman Keith Bales, on March 30, 2009 at 8:00 P.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Keith Bales, Chairman (R)
Sen. Dave Lewis, Vice Chairman (R)
Sen. Debby Barrett (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Laible (R)
Sen. Rick Ripley (R)
Sen. Trudi Schmidt (D)
Sen. Mitch Tropila (D)
Sen. David E. Wanzenried (D)
Sen. Ryan Zinke (R)

Members Excused:

Sen. Gregory D. Barkus (R)
Sen. John Brueggeman (R)
Sen. John Esp (R)
Sen. Steven Gallus (D)
Sen. Jim Peterson (R)
Sen. Carol Williams (D)

Members Absent: None

Staff Present: Prudence Gildroy, Committee Secretary
Taryn Purdy, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 6, 3/26/2009; HB 7, 3/26/2009;
HB 8, 3/26/2009; HB 224, 3/26/09;
HB 3, 3/26/2009; HB 4, 3/26/2009;
HB 9, 3/26/2009

Executive Action: HB 4; HB 3; HB 6; HB 7

00:00:02 Sen. Bales

HEARING ON HB 6

Opening Statement by Sponsor:

00:02:12 Rep. Walter McNutt (R), HD 37, opened the hearing on HB 6, Renewable resource grants and loans.

Proponents' Testimony:

00:05:44 Alice Stanley, Resource Development Bureau, Department of Natural Resources and Conservation (DNRC)
00:07:47 Jeff Tiberi, Montana Association of Conservation Districts (MACD)

Opponents' Testimony:

None

Informational Testimony:

00:08:32 Cathy Duncan, Legislative Fiscal Division (LFD)
EXHIBIT(fcs70a01)
Sen. Williams and Sen. Peterson now present

Questions from Committee Members and Responses:

00:11:12 Sen. Zinke
00:11:51 Ms. Stanley, DNRC
00:12:26 Sen. Schmidt
00:12:56 Chairman Bales
00:13:29 Ms. Stanley
00:14:30 Chairman Bales
00:14:49 Ms. Stanley
00:15:17 Chairman Bales
00:15:42 Rep. McNutt

00:16:35 Chairman Bales
 00:16:40 Sen. Schmidt
 00:17:15 Rep. McNutt
 00:18:22 Sen. Schmidt
 00:18:25 Chairman Bales
 00:18:27 Sen. Laible
 Sen. Brueggeman now present
 00:19:09 Ms. Stanley
 Sen. Barkus and Sen. Peterson now present
 00:20:17 Sen. Williams
 00:20:47 Ms. Duncan, LFD
 00:21:52 Sen. Barretts
 00:22:29 Ms. Duncan
 00:22:39 Ms. Stanley
 00:22:46 Pam Smith, DNRC
 00:23:10 Sen. Barrett
 00:23:20 Ms. Smith
 00:23:49 Sen. Barrett
 00:24:11 Ms. Smith
 00:24:28 Sen. Barrett
 00:24:36 Ms. Smith
 00:24:42 Sen. Hansen
 00:25:06 Ms. Smith
 00:25:17 Sen. Hansen
 00:25:39 Sen. Hansen
 00:25:59 Ms. Smith
 00:26:44 Sen. Hansen
 00:27:02 Ms. Smith
 00:27:30 Chairman Bales
 00:27:34 Sen. Schmidt
 00:28:05 Ms. Smith
 00:28:11 Sen. Schmidt
 00:28:12 Ms. Smith
 00:28:48 Chairman Bales

Closing by Sponsor:

00:28:55 Rep. McNutt
[EXHIBIT\(fcs70a02\)](#)

HEARING ON HB 7

Opening Statement by Sponsor:

00:29:38 Rep. Walter McNutt (R), HD 37, opened the hearing on
 HB 7, Reclamation and development grants and loans.
[EXHIBIT\(fcs70a03\)](#)
[EXHIBIT\(fcs70a04\)](#)

Proponents' Testimony:

00:33:40 Ms. Stanley, DNRC

00:34:52 Mr. Tiberi, MACD

Opponents' Testimony:

None

Informational Testimony:

00:35:24 Cathy Duncan, LFD

[EXHIBIT\(fcs70a05\)](#)

Questions from Committee Members and Responses:

00:36:30 Sen. Barrett

00:37:05 Ms. Stanley

00:37:52 Sen. Barrett

00:38:05 Ms. Stanley

00:38:28 Chairman Bales

00:38:31 Sen. Schmidt

00:38:53 Ms. Duncan

00:39:06 Sen. Schmidt

00:39:25 Ms. Stanley

00:39:49 Greg Mills, DNRC

00:39:59 Sen. Schmidt

00:40:09 Mr. Mills

00:40:31 Chairman Bales

00:40:36 Sen. Laible

00:40:58 Ms. Stanley

00:41:40 Ms. Stanley

00:43:16 Sen. Schmidt

00:43:34 Ms. Stanley

00:44:37 Chairman Bales

00:44:58 Ms. Stanley

00:45:51 Chairman Bales

00:45:57 Mr. Mills

00:46:56 Chairman Bales

00:47:10 Mr. Mills

00:47:52 Chairman Bales

Closing by Sponsor:

00:48:01 Rep. McNutt

HEARING ON HB 8

Opening Statement by Sponsor:

00:48:37 Rep. Walter McNutt (R), HD 37, opened the hearing on HB 8, Renewable resource bonds and loans.

[EXHIBIT](#)(fcs70a06)

Proponents' Testimony:

00:51:26 Anna Miller, DNRC

Opponents' Testimony:

None

Informational Testimony:

00:52:15 Ms. Duncan, LFD

Questions from Committee Members and Responses:

00:54:04 Sen. Hawks

00:54:47 Ms. Miller

Closing by Sponsor:

00:55:26 Rep. McNutt

00:56:38 Recess

01:19:05 Reconvene

HEARING ON HB 224

Opening Statement by Sponsor:

01:19:23 Rep. Cynthia Hiner (D), HD 85, opened the hearing on HB 224, Loan reimbursement program for state institutional nurses.

Proponents' Testimony:

01:22:35 Cindy Sparing

[EXHIBIT](#)(fcs70a07)

01:30:55 Don Judge, Montana Nurses Association

01:34:09 Marco Ferro, MEA-MFT

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

01:35:43 Sen. Laible
01:36:07 Mr. Judge
01:37:03 Sen. Laible
01:37:24 Rep. Hiner
01:37:43 Sen. Laible
01:38:19 Rep. Hiner
01:39:40 Sen. Schmidt
01:40:48 Rep. Hiner
01:41:30 Sen. Schmidt
01:41:48 Rep. Hiner
01:42:34 Sen. Schmidt
01:42:42 Rep. Hiner
01:43:23 Sen. Schmidt
01:43:27 Sen. Ripley
01:43:37 Rep. Hiner
01:44:20 Sen. Ripley
01:44:32 Rep. Hiner
01:44:42 Sen. Ripley
01:44:45 Rep. Hiner
01:44:50 Sen. Hawks
01:45:55 Rep. Hiner
01:46:47 Sen. Hawks
01:47:08 Rep. Hiner
01:47:27 Chairman Bales
01:48:36 Rep. Hiner
01:48:47 Chairman Bales

Closing by Sponsor:

01:49:10 Rep. Hiner
01:49:17 Sen. Bales

HEARING ON HB 3

Opening Statement by Sponsor:

01:49:48 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 3, Supplemental appropriations.

Proponents' Testimony:

01:52:40 Amy Sassano, Office of Budget and Program Planning (OBPP)

01:53:49 Christian Mackay, Executive Officer, Board of Livestock

01:55:11 Ann Bauchman, DNRC

EXHIBIT (fcs70a08)

01:57:44 Randi Hood, Chief Public Defender

02:05:59 Dennis Unsworth, Commissioner of Political Practices

02:07:15 Tim Fox, Gough, Shanahan and Johnson Law Firm, Lawyers for Canyon Ferry Road Baptist Church

EXHIBIT (fcs70a09)

02:13:14 Chairman Bales

02:13:36 Jeff Laszloffy, Montana Family Foundation

EXHIBIT (fcs70a10)

02:15:33 Anthony Johnstone, Office of the Attorney General (OAG)

02:18:37 Jay Bodner, Montana Stockgrowers Association

02:19:58 Chairman Bales

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

02:20:22 Sen. Cooney

02:21:18 Mr. Johnstone, OAG

02:21:52 Sen. Cooney

02:21:58 Sen. Brenden

02:22:38 Mr. Mackay

02:23:25 Sen. Lewis

02:24:25 Ms. Sassano, OBPP

02:24:41 Sen. Ripley

02:24:49 Ms. Sassano

02:25:13 Sen. Ripley
02:25:18 Mr. Johnstone
02:25:49 Sen. Ripley
02:25:58 Mr. Johnstone
02:26:07 Chairman Bales

Closing by Sponsor:

02:26:36 Rep. Ankney

HEARING ON HB 4

Opening Statement by Sponsor:

02:27:23 Rep. Llew Jones (R), HD 27, opened the hearing on HB 4, Appropriations normally made by budget amendment.

Proponents' Testimony:

02:28:46 Ms. Sassano

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

02:30:53 Chairman Bales
02:31:16 Ms. Sassano
02:32:07 Chairman Bales

Closing by Sponsor:

02:32:19 Rep. Jones

HEARING ON HB 9

Opening Statement by Sponsor:

02:32:40 Rep. Galen Hollenbaugh (D), HD 81, opened the hearing on HB 9, Cultural and aesthetic grant appropriations.

Proponents' Testimony:

02:33:48 Arlynn Fishbaugh, Director, Montana Arts Council
02:41:30 Denise King, Montana Historical Society

Opponents' Testimony:

None

Informational Testimony:

02:42:11 Cathy Duncan, LFD
[EXHIBIT\(fcs70a11\)](#)

Questions from Committee Members and Responses:

02:44:39 Sen. Brenden
02:45:12 Ms. Fishbaugh
02:46:10 Sen. Brenden
02:46:23 Sen. Hawks
02:47:01 Ms. Fishbaugh
02:47:23 Kristin Han Burgoyne
02:48:14 Sen. Hawks
02:48:29 Ms. Han Burgoyne
02:48:40 Sen. Laible
02:48:54 Ms. Duncan
02:49:17 Chairman Bales
02:49:38 Ms. Han Burgoyne
02:49:52 Chairman Bales
02:49:56 Ms. Han Burgoyne
02:50:15 Chairman Bales
02:50:30 Ms. Han Burgoyne
02:50:38 Sen. Barkus
02:51:10 Ms. Fishbaugh
02:51:38 Carleen Layne, Montana Arts Council
02:52:49 Sen. Barkus
02:53:08 Ms. Layne
02:53:28 Sen. Ripley
02:53:54 Ms. Fishbaugh
02:55:19 Sen. Schmidt
02:55:51 Ms. Duncan
02:56:13 Chairman Bales

Closing by Sponsor:

02:56:27 Rep. Hollenbaugh
02:58:01 Chairman Bales

EXECUTIVE ACTION ON HB 4

02:58:25 **Motion:** Sen. Schmidt moved that **HB 4 BE CONCURRED IN.**

Discussion:

02:58:42 Sen. Barkus
03:00:07 Chairman Bales
03:00:37 John Moe, LFD
03:01:06 Sen. Cooney
03:02:06 Sen. Barkus
03:02:21 Sen. Tropila
03:02:52 Chairman Bales
03:03:04 Sen. Cooney
03:03:13 Chairman Bales

03:03:21 **Motion:** Sen. Cooney moved that **HB 4 BE AMENDED.**
EXHIBIT(fcs70a12)

Discussion:

03:03:37 John Moe, LFD
03:04:20 Ms. Sassano
03:04:43 Chairman Bales
03:04:52 Ms. Sassano
03:05:01 Sen. Schmidt
03:05:36 Chairman Bales
03:05:40 Mr. Moe

Sen. Esp, Sen. Gallus and Sen. Williams not present

03:05:56 **Vote:** Motion carried 16-0 by voice vote, present and voting.

03:06:13 **Motion/Vote:** Sen. Cooney moved that **HB 4 BE AMENDED.**
Motion carried 16-0, present and voting, by voice vote.
EXHIBIT(fcs70a13)

Sen. Williams now present

03:06:41 **Motion/Vote:** Sen. Cooney moved that **HB 4 BE CONCURRED IN AS AMENDED.** Motion carried 16-1, present and voting, by voice vote with Sen. Brenden voting no.

Sen. Lewis will carry HB 4 in the Senate.

EXECUTIVE ACTION ON HB 3

03:07:28 **Motion:** Sen. Cooney moved that **HB 3 BE CONCURRED IN.**

03:07:41 **Motion:** Sen. Lewis moved that **HB 3 BE AMENDED**
conceptually to appropriate \$225,000 to the
Commissioner of Political Practices for legal fees.

Sen. Esp and Sen. Gallus not present

03:08:48 **Vote:** Motion carried 15-2 by voice vote, present and
voting, with Sen. Ripley and Sen. Zinke voting no.

03:09:07 **Motion/Vote:** Sen. Cooney moved that **HB 3 BE AMENDED.**
Motion carried, 17-0 by voice vote, present and voting.

EXHIBIT(fcs70a14)

03:09:36 **Motion/Vote:** Sen. Cooney moved that **HB BE CONCURRED IN**
AS AMENDED. Motion carried 17-0 by voice vote, present
and voting. Sen. Bales will carry HB 3 in the Senate.

03:10:34 Sen. Brueggeman

EXECUTIVE ACTION ON HB 6

03:11:11 **Motion:** Sen. Zinke moved that **HB 6 BE CONCURRED IN.**

03:11:28 **Motion:** Sen. Cooney moved that **HB 6 BE AMENDED.**

EXHIBIT(fcs70a15)

03:12:06 Ms. Duncan

03:14:26 Chairman Bales

03:14:32 **Vote:** Motion carried 17-0 by voice vote, present and
voting.

03:14:40 **Motion:** Sen. Zinke moved that **HB 6 BE CONCURRED IN AS**
AMENDED.

Discussion:

03:14:54 Chairman Bales

03:15:22 Ms. Duncan

03:16:05 Chairman Bales

03:16:20 Ms. Duncan

03:16:36 Sen. Barrett

03:17:24 Chairman Bales

03:17:38 Sen. Barrett

03:17:39 Sen. Hawks
 03:19:14 Chairman Bales
 03:19:18 Sen. Barkus
 03:20:04 Sen. Schmidt
 03:20:16 Ms. Smith, DNRC
 03:20:41 Sen. Barrett
 03:20:52 Ms. Smith
 03:21:50 Sen. Barrett
 03:21:59 Ms. Smith
 03:22:15 Chairman Bales
 03:22:25 Ms. Smith
 03:22:59 Sen. Zinke
 03:23:14 Chairman Bales
 03:23:18 Sen. Zinke
 03:23:29 Ms. Duncan
 03:23:55 Chairman Bales
 03:24:10 Ms. Duncan
 03:25:11 Chairman Bales
 03:25:13 Sen. Barrett
 03:25:51 Ms. Smith
 03:26:09 Chairman Bales
 03:26:12 John Tubbs, Administrator, Water Resources Division,
 DNRC
 03:27:19 Sen. Ripley
 03:27:51 Ms. Smith
 03:28:03 Sen. Ripley
 03:28:20 Ms. Smith
 03:29:14 Sen. Laible
 03:30:06 Sen. Hawks
 03:31:47 Sen. Schmidt
 03:31:55 Mr. Tubbs, DNRC
 03:34:51 Sen. Hawks
 03:35:15 Mr. Tubbs
 03:35:54 Sen. Hawks
 03:36:12 Chairman Bales

 03:36:18 **Vote:** Motion carried 17-0 by voice vote, present and
 voting. Sen. Barkus will carry HB 6 in the Senate.

EXECUTIVE ACTION ON HB 7

03:37:30 **Motion:** Sen. Brueggeman moved that **HB 7 BE CONCURRED
 IN.**

Discussion:

03:38:47 Chairman Bales
 03:38:59 Sen. Lewis

03:39:17 **Motion:** Sen. Brueggeman moved that **HB 7 BE AMENDED** conceptually to include \$70,000 for the Clark Fork Task Force Steering Committee below project #25 on Page 3 of the bill.

Discussion:

03:39:31 Chairman Bales
 03:39:42 Ms. Duncan
 03:40:12 Sen. Brueggeman
 03:40:27 Ms. Duncan
 03:40:34 Without objection Sen. Brueggeman amended his motion to include coordination language.
 03:40:56 Sen. Barkus
 03:41:17 Ms. Duncan
 03:41:40 Ms. Stanley
 03:41:58 Sen. Barkus
 03:42:25 Ms. Stanley
 03:42:57 Chairman Bales
 03:43:37 Sen. Brueggeman
 03:43:56 Mr. Tubbs
 03:45:26 Chairman Bales
 03:45:39 Mr. Tubbs
 03:46:41 Sen. Laible
 03:47:37 Chairman Bales
 03:47:41 Sen. Tropila
 03:47:59 Sen. Brueggeman
 03:49:56 Chairman Bales

03:50:00 **Vote:** Motion carried 15-2 by voice vote with Sen. Bales and Sen. Laible voting no.

03:50:17 **Motion:** Sen. Brueggeman moved that **HB 7 BE CONCURRED IN AS AMENDED.**

03:50:23 **Motion:** Sen. Brueggeman moved that **HB 7 BE AMENDED.** Motion carried by voice vote 17-0, present and voting.

EXHIBIT(fcs70a16)

03:50:51 **Motion/Vote:** Sen. Brueggeman moved that **HB 7 BE CONCURRED IN AS AMENDED.** Motion carried 17-0 by voice vote, present and voting. Sen. Barkus will carry HB 7 in the Senate.

ADJOURNMENT

Adjournment: 12:00 P.M.

Prudence Gildroy, Secretary

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Additional Documents:

EXHIBIT ([fcs70aad.pdf](#))